



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

April 14, 2016

Waiver 16-04-003

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Justina Zurita is a substitute school community health nurse with the Montgomery County DHHS School Health Services. She also works as a clinical registered nurse at Holy Cross Hospital. Montgomery County has several contracts with Holy Cross Hospital.

Ms. Zurita requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by Holy Cross Hospital consistent with 19A-12(b) of the Public Ethics Law.

In her County position, Ms. Zurita does not work on matters affecting Holy Cross Hospital, including the County's contracts with the hospital. At Holy Cross, Ms. Zurita provides nursing care for patients with life-threatening medical conditions within the adult population. Her work at Holy Cross is unrelated to the contracts between the County and Holy Cross.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Zurita.

For the Commission:

Steven Rosen, Chair

MONTGOMERY COUNTY ETHICS COMMISSION

100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850
OFFICE: 240.777.6670 FAX: 240.777.6672